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Timothy W. Walsh  
Attorney at Law  
twwalsh@mwe.com  
+1 212 547 5873

November 11, 2015

VIA ECF SYSTEM

The Honorable Valerie E. Caproni  
U.S. District Court  
Southern District of New York  
Thurgood Marshall U.S. Courthouse  
40 Foley Square  
New York, NY 10007

Re: Civil Action No. 14-cv-09949 (VEC)  
Civil Action No. 14-cv-10027 (VEC)  
Civil Action No. 14-cv-09949 (VEC)  
Civil Action No. 15-cv-06718 (VEC)  
Civil Action No. 15-cv-00190 (VEC)

Dear Judge Caproni:

We represent O.W. Bunker Germany GmbH ("OW Germany"), together with our co-counsel Hill Rivkins LLP, in the above-referenced actions.

We write to inform the Court that on November 11, 2015, Dr. Gideon Böhm, the duly appointed administrator and foreign representative of OW Germany, which is currently in administration proceedings under the Germany Insolvency Code (the "German Proceeding"), filed a chapter 15 petition in the United States Bankruptcy Court for the Southern District of New York (the "Bankruptcy Court") seeking recognition of the German Proceeding as a "foreign main proceeding" pursuant to Bankruptcy Code section 1517 (the "Chapter 15 Proceeding").

Pursuant to Bankruptcy Code section 1520, the automatic stay under Bankruptcy Code section 362 will apply with respect to OW Germany after the German Proceeding is recognized as a "foreign main proceeding" by the Bankruptcy Court. At this time, OW Germany does not intend to invoke the automatic stay with respect to these actions. However, after the Bankruptcy Court grants recognition of the German Proceeding as a "foreign main proceeding," OW Germany intends to file a motion with this Court seeking an order confirming that the Amended Standing Order of Reference in this District (M-431) requires that these actions be referred to the Bankruptcy Court. After these actions are referred to the Bankruptcy Court, OW Germany intends to withdraw the reference to the Bankruptcy Court with respect to these actions, pursuant to section 157 of title 28 of the United States Code, but only for the limited purpose of Your

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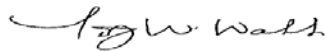
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Honor resolving issues related to maritime law. Specifically, OW Germany contemplates that Your Honor will adjudicate whether the physical suppliers have maritime liens. After adjudication by Your Honor of this (and any other) maritime issue, OW Germany contemplates that the Bankruptcy Court will adjudicate all remaining issues, including which party is entitled to the interpleader funds.

OWG intends to comply with its discovery obligations in these actions, including Your Honor's deadline for completing discovery by December 18, 2015. The Chapter 15 Proceeding is not intended to disrupt the discovery schedule set forth by the Court. However, as discussed at our last telephonic status conference with Your Honor, there may be factors independent of the Chapter 15 Proceeding that necessitate a further extension to the discovery deadline in these actions.

We thank the Court for its attention to the foregoing issues, and stand ready to answer any questions that Your Honor may have.

Sincerely,

A handwritten signature in cursive script, appearing to read "T. W. Walsh".

Timothy W. Walsh

Cc: All counsel of record via ECF